

same date and in view of the fact that certain improvements had been made in the condition of the defendant's plant, the fine on the third count was dismissed.

7949. Adulteration of cake and bread. U. S. v. The L. D. Feuchtenberger Bakeries, Inc. Plea of nolo contendere. Fine \$1,000 on each of the 5 counts. Fines on counts 1 and 2 (\$2,000) paid. Payment of fines on last 3 counts suspended and defendant placed on probation for 6 months. Counts 3, 4, and 5 dismissed. (F. D. C. No. 11330. Sample Nos. 46238-F, 46244-F, 46265-F to 46267-F, incl., 46269-F, 46270-F.)

INDICTMENT RETURNED: June 24, 1944, Southern District of West Virginia, against the L. D. Feuchtenberger Bakeries, Inc., Bluefield, W. Va.

ALLEGED SHIPMENT: Between the approximate dates of April 23 and June 18, 1943, from the State of West Virginia into the States of Virginia and Kentucky.

LABEL, IN PART: (Wrappers) "100% Whole Wheat Bread," "All American Butter-Nut Bread [or "Sandwich"]," or "Luxury Cake [or "Luxury Baked"] * * * Chocolate."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of rodent hairs and insect fragments; and, Section 402 (a) (4), they had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: June 26, 1944. A plea of nolo contendere having been entered on behalf of the defendant, a fine of \$1,000 on each of the 5 counts, plus costs, was imposed. The court suspended payment of the fines on counts 3, 4, and 5, and placed the defendant on 6 months' probation. On February 1, 1945, the court ordered counts 3, 4, and 5 dismissed.

7950. Adulteration of cake. U. S. v. Mi-Oun Cake Co., Jacob J. Holterhoff, and Edward F. Holterhoff. Pleas of guilty. Company fined \$500; sentence suspended against individuals. (F. D. C. No. 12602. Sample Nos. 57050-F, 57051-F, 57053-F, 57056-F, 57057-F, 77909-F.)

INFORMATION FILED: November 21, 1944, District of New Jersey, against the Mi-Oun Cake Co., a partnership, Paterson, N. J., Jacob J. Holterhoff, a partner, and Edward F. Holterhoff, manager.

ALLEGED SHIPMENT: On or about February 8 and 9, 1944, from the State of New Jersey into the States of Pennsylvania and New York.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments, insect fragments, cat hair fragments, and human hair fragments; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 26, 1945. Pleas of guilty having been entered, the partnership was fined \$500, and sentence was suspended against the individual defendants.

7951. Adulteration of cookies and crackers. U. S. v. National Biscuit Co. Plea of nolo contendere. Fine, \$1,600. (F. D. C. No. 14254. Sample Nos. 36576-F to 36578-F, incl., 36599-F, 36733-F, 54037-F, 54038-F, 54040-F, 60291-F, 60292-F, 69843-F to 69845-F, incl., 69858-F, 70002-F.)

INFORMATION FILED: January 15, 1945, District of Colorado, against the National Biscuit Co., a corporation, Denver, Colo.

ALLEGED SHIPMENT: Between the approximate dates of March 16 and April 14, 1944, from the State of Colorado into the States of Utah, California, and Wyoming.

LABEL, IN PART: "Old Fashion Ginger Snaps," "Premium Crackers Salted," "Sugar Honey Maid Graham Crackers," "Nabisco Old Fashion Sugar Cookies," "Vanilla Brightons," "Macaroon Cookies," "Snow Flake Sodas Dainty-Crisp," "Nabisco Cracker Meal," or "Dandy Oyster Crackers."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of feather fragments, rodent hairs, insect body parts, insect mandibles, bee parts, insect fragments, a rodent excreta pellet fragment, feather barbules, rodent and cat hair fragments, other animal hair fragments, colored fiber, and nondescript dirt; and, Section 402 (a) (4), they had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth.